

# Best Available Copy

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Allowed: January 1, 2006

MAERTENS, et al.

Atty. Ref.: 2551-142; Confirmation No. 3676

Appl. No. 10/822,711

TC/A.U. 1634

Filed: April 13, 2004

Examiner: Whisenant

For: PROCESS FOR TYPING OF HCV ISOLATES

**FAX RECEIVED****JUL 03 2006****OFFICE OF PETITIONS**

\* \* \* \* \*

July 3, 2006

Mail Stop 313(c) - Special Processing Submission Via FACSIMILE: 5712730025  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

### PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(2)

It is hereby requested that the above-identified application be withdrawn from issue, the Issue Fee having been paid on May 1, 2006.

Withdrawal is necessary so that the Request for Continued Examination (RCE) in compliance with 37 CFR 1.114, and accompanying Information Disclosure Statement, both of which are submitted concurrently herewith, can be considered.

This request for withdrawal from issue is made so that the Examiner can be made aware of the citations in the Information Disclosure Statement. It is submitted that providing an opportunity for these documents to be made of record constitutes good and sufficient reason why withdrawal of this application from issue is necessary.

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The Petition and attached associated papers are being filed by facsimile pursuant to List II (No. 11) of the "Updated Lists of Exceptions to the Centralized Delivery and Facsimile Transmission Policy for Patent Related Correspondence" dated September 19, 2005, by Joseph J. Rolla, Deputy Commissioner for Patent Policy, and available through the Patent Office web site at the following address:

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/cfaxexceptions091905.pdf>.

Favorable consideration and grant of the present Petition, preferably by return facsimile to the undersigned at 703-816-4100, are requested.

The fee required under 37 CFR 1.17(h) is submitted herewith by the attached Credit Card Payment Form.

It is respectfully requested that this Petition be granted, that the attached RCE is entered, and that the Examiner returns an initialed copy of the attached PTO 1449 Form with a new Notice of Allowance. The Office is requested to advise the undersigned in the event anything further is required in this regard.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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